

**United States District Court
Eastern District of Pennsylvania (Philadelphia)
CIVIL DOCKET FOR CASE #: 2:15-cv-05219-MAK**

LAW SCHOOL ADMISSION COUNCIL, INC. v. MORLEY TATRO Date Filed: 09/18/2015
Assigned to: HONORABLE MARK A. KEARNEY Date Terminated: 12/29/2015
Referred to: MAGISTRATE JUDGE MARILYN HEFFLEY (Settlement) Jury Demand: Plaintiff
Cause: 17:101 Copyright Infringement Nature of Suit: 820 Property Rights: Copyright
Jurisdiction: Federal Question

Plaintiff

**LAW SCHOOL ADMISSION COUNCIL,
INC.**

represented by **JOHN V. GORMAN**
MORGAN LEWIS & BOCKIUS
1701 MARKET STREET
PHILA, PA 19103-2921
Email: jgorman@morganlewis.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

AMY M. DUDASH
MORGAN LEWIS & BOCKIUS LLP
1700 MARKET ST
PHILADELPHIA, PA 19103
215-963-5000
Email: adudash@morganlewis.com
ATTORNEY TO BE NOTICED

V.

Defendant

MORLEY TATRO
doing business as
CAMBRIDGE LSAT

represented by **ERIC J. MENHART**
LEXERO LAW
316 F STREET NE
SUITE 101
WASHINGTON, DC 20002
855-453-9376
Email: eric.menhart@lexero.com
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

JULIE D. LATHIA
THE LAW OFFICES OF JULIE D. LATHIA
212 WEST GAY ST
WEST CHESTER, PA 19380
717-940-4881
Email: jlathia@gmail.com
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
09/18/2015	<u>I 1</u>	COMPLAINT against MORLEY TATRO (Filing fee \$ 400 receipt number 127820.), filed by LAW SCHOOL ADMISSION COUNCIL, INC.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Civil Cover Sheet, # <u>4</u> Designation Form, # <u>5</u> Case Management Track Form)(pod,) (Entered: 09/21/2015)
09/18/2015	<u>I</u>	DEMAND for Trial by Jury by LAW SCHOOL ADMISSION COUNCIL, INC.. (pod,) (Entered: 09/21/2015)
09/18/2015	<u>I 2</u>	Disclosure Statement Form pursuant to FRCP 7.1 by LAW SCHOOL ADMISSION COUNCIL, INC..(pod,) (Entered: 09/21/2015)
09/18/2015	<u>I 3</u>	Copy of Form to Register of Copyrights. (pod,) (Main Document 3 replaced on 9/21/2015) (pod,). (Entered: 09/21/2015)
09/21/2015	<u>I</u>	Summons Issued as to MORLEY TATRO. One Forwarded To: Counsel on 9/21/15 (pod,) (Entered: 09/21/2015)
09/21/2015	<u>I 4</u>	NOTICE of Appearance by AMY M. DUDASH on behalf of LAW SCHOOL ADMISSION COUNCIL, INC. (DUDASH, AMY) (Entered: 09/21/2015)
10/08/2015	<u>I 5</u>	AFFIDAVIT of Service by Sarkis Arabyan re: served Complaint, Summons, Civil Cover Sheet, Corporate Disclosure Statement upon Morley Tatro by Personal Service on September 22, 2015, ANSWER DUE 10/13/2015. (GORMAN, JOHN) Modified on 10/8/2015 (afm,). (Entered: 10/08/2015)
10/09/2015	<u>I 6</u>	ORDER THAT AN INITIAL PRETRIAL CONFERENCE SET FOR 11/5/2015 03:00 PM IN COURTROOM BEFORE HONORABLE MARK A. KEARNEY. SIGNED BY HONORABLE MARK A. KEARNEY ON 10/9/2015. 10/9/2015 ENTERED AND COPIES MAILED TO UNREP AND E-MAILED.(sg,) (Entered: 10/09/2015)
10/19/2015	<u>I 7</u>	LETTER TO JOHN V. GORMAN, FROM ULRIKE HEVENER, COURTROOM DEPUTY TO JUDGE KEARNEY, DATED 10/19/2015, RE: DEFAULT. (sg,) (Entered: 10/20/2015)
10/29/2015	<u>I 8</u>	DEFENDANT'S MOTION TO OBTAIN E-FILE LOGIN AND PASSWORD, filed by MORLEY TATRO. PROPOSED ORDER.(sg,) (Entered: 10/29/2015)
10/29/2015	<u>I 9</u>	DEFENDANT'S MOTION TO DISMISS FOR LACK OF PERSONAL JURISDICTION AND IMPROPER VENUE, filed by MORLEY TATRO. MEMO, DECLARATION, PROPOSED ORDER..(sg,) (Entered: 10/29/2015)
10/29/2015	<u>I 10</u>	ORDER THAT DEFENDANTS MOTION TO OBTAIN E-FILE ON THIS CASE ONLY VIA THIS COURT'S ELECTRONIC CASE FILING SYSTEM IS GRANTED AND THE CLERK OF THIS COURT SHALL ISSUE A USER NAME AND PASSOWRD FOR THE UNREPRESENTED DEFENDANT TO ALLOW HIM TO FILE DOCUMENTS IN THIS CASE ALONE ELECTRONICALLY. SIGNED BY HONORABLE MARK A. KEARNEY ON 10/29/2015.10/30/2015 ENTERED AND COPIES MAILED TO PRO SE DEFENDANT AND E-MAILED.(sg,) (Entered: 10/30/2015)
11/02/2015	<u>I 11</u>	Report Of <i>Rule 26(f) Meeting</i> by LAW SCHOOL ADMISSION COUNCIL, INC.. (GORMAN, JOHN) (Entered: 11/02/2015)
11/04/2015	<u>I 12</u>	ORDER THAT THIS COURT'S 10/9/2015 ORDER IS AMENDED TO ALLOW ALL PARTIES TO APPEAR BY TELEPHONE ONLY FOR THIS 11/5/2015 PRETRIAL CONFERENCE. SIGNED BY HONORABLE MARK A. KEARNEY ON 11/4/2015. 11/4/2015 ENTERED AND COPIES E-MAILED.(sg,) (Entered: 11/04/2015)

11/05/2015	<u>11</u>	Set/Reset Deadlines as to <u>9</u> MOTION to Dismiss for Lack of Jurisdiction. RESPONSES DUE BY 12/4/2015. REPLIES DUE BY 12/11/2015. (sg,) (Entered: 11/06/2015)
11/05/2015	<u>11</u> <u>13</u>	SCHEDULING ORDER: THIS MATTER IS REFERRED TO MAGISTRATE JUDGE HEFFLEY FOR ALL SETTLEMENT PURPOSES. PLAINTIFF SHALL RESPOND TO DEFENDANTS PENDING MOTION TO DISMISS NO LATER THAN 12/4/2015. DEFENDANT MAY FILE A REPLY IN SUPPORT OF HIS MOTION TO DISMISS NO LATER THAN 12/11/2015. FINAL PRETRIAL CONFERENCE SET FOR 5/11/2016 12:30 PM IN COURTROOM BEFORE HONORABLE MARK A. KEARNEY. DISCOVERY DUE BY 2/5/2016. JURY SELECTION SET FOR 5/13/2016 09:00AM BEFORE HONORABLE MARK A. KEARNEY. MOTIONS DUE BY 2/26/2016. MOTION IN LIMINE DUE BY 4/18/2016. MOTION FOR SUMMARY JUDGMENT DUE BY 2/26/2016. PLAINTIFF PRETRIAL MEMO DUE BY 4/13/2016. DEFENDANT PRETRIAL MEMO DUE BY 4/13/2016. SIGNED BY HONORABLE MARK A. KEARNEY ON 11/5/2015. 11/6/2015 ENTERED AND COPIES E-MAILED.(sg,) (Entered: 11/06/2015)
11/06/2015	<u>11</u> <u>14</u>	ORDER THAT A SETTLEMENT CONFERENCE SET FOR 2/4/2016 02:00 PM BEFORE MAGISTRATE JUDGE MARILYN HEFFLEY. SIGNED BY MAGISTRATE JUDGE MARILYN HEFFLEY ON 11/6/2015. 11/6/2015 ENTERED AND COPIES E-MAILED.(sg,) (Entered: 11/06/2015)
11/06/2015	<u>11</u> <u>15</u>	Minute Entry for proceedings held before HONORABLE MARK A. KEARNEY Pretrial Conference held on 11/5/2015. (sg,) (Entered: 11/06/2015)
11/25/2015	<u>11</u> <u>16</u>	MOTION for Extension of Time to File Response/Reply as to <u>9</u> MOTION to Dismiss for Lack of Jurisdiction filed by LAW SCHOOL ADMISSION COUNCIL, INC..Certificate of Service. (Attachments: # <u>1</u> Text of Proposed Order)(GORMAN, JOHN) (Entered: 11/25/2015)
11/27/2015	<u>11</u> <u>17</u>	ORDER THAT PLAINTIFF'S MOTION (DOC. NO. <u>16</u>), IS GRANTED. DEFENDANT SHALL FULLY RESPOND TO PLAINTIFF'S 11/6/2015 WRITTEN DISCOVERY REQUESTS, DUE 11/23/2015, NO LATER THAN 12/2/2015 OR, UPON MOTION, THE COURT MAY DENY HIS PENDING MOTION TO DISMISS FOR FAILING TO TIMELY COMPLY WITH THE COURTS ORDERS. PLAINTIFF MAY RESPOND TO THE PENDING MOTION TO DISMISS NO LATER THAN 12/11/2015. SIGNED BY HONORABLE MARK A. KEARNEY ON 11/27/2015.11/27/2015 ENTERED AND COPIES E-MAILED.(amas) (Entered: 11/27/2015)
11/30/2015	<u>11</u> <u>18</u>	NOTICE of Appearance by JULIE D. LATHIA on behalf of MORLEY TATRO with Certificate of Service(LATHIA, JULIE) (Entered: 11/30/2015)
11/30/2015	<u>11</u> <u>19</u>	MOTION for Pro Hac Vice <i>Admission of Counsel Eric Menhart</i> filed by MORLEY TATRO.Certificate of Service, Declaration of Counsel. (Attachments: # <u>1</u> Exhibit A)(LATHIA, JULIE) (Entered: 11/30/2015)
11/30/2015	<u>11</u> <u>20</u>	ORDER THAT THE APPLICATION FOR PRO HAC VICE ADMISSION OF ERIC MENHART, ESQUIRE IS GRANTED. SIGNED BY HONORABLE MARK A. KEARNEY ON 11/30/2015.12/1/2015 ENTERED AND COPIES MAILED W/ APP, E-MAILED.(ahf) (Entered: 12/01/2015)
12/03/2015	<u>11</u> <u>21</u>	Amended MOTION to Dismiss re <u>9</u> MOTION to Dismiss for Lack of Jurisdiction filed by MORLEY TATRO.Memorandum, Certificate of Service. (Attachments: # <u>1</u> Memorandum, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Text of Proposed Order)(LATHIA, JULIE) Modified on 12/4/2015 (fb). (STRICKEN FROM DOCKET PER ORDER NO. 23).Modified on 12/7/2015 (ahf,). (Entered: 12/03/2015)
12/04/2015	<u>11</u> <u>22</u>	MOTION for Extension of Time to File Response/Reply as to <u>21</u> Amended MOTION to Amend/Correct <u>9</u> MOTION to Dismiss for Lack of Jurisdiction filed by LAW SCHOOL ADMISSION COUNCIL, INC..Certificate of Service. (Attachments: # <u>1</u> Text of Proposed Order

		Granting Motion)(GORMAN, JOHN) (Entered: 12/04/2015)
12/07/2015	<u>23</u>	ORDER THAT DEFENDANT'S UNTIMELY "AMENDED" MOTION TO DISMISS (DOC. NO. 21) IS STRICKEN AS HE ALREADY FILED A MOTION TO DISMISS (DOC. NO. 9). HE MAY FILE A REPLY NOT EXCEEDING SEVEN (7) PAGES ON OR BEFORE 12/17/2015. PLAINTIFF'S MOTION FOR AN EXTENSION (DOC. NO. 22) IS DENIED AS MOOT. SIGNED BY HONORABLE MARK A. KEARNEY ON 12/7/2015.12/7/2015 ENTERED AND COPIES E-MAILED.(ahf) (Entered: 12/07/2015)
12/11/2015	<u>24</u>	RESPONSE in Opposition re <u>2</u> MOTION to Dismiss for Lack of Jurisdiction filed by LAW SCHOOL ADMISSION COUNCIL, INC.. (Attachments: # <u>1</u> Declaration of John V. Gorman, # <u>2</u> Exhibit 1 to Gorman Decl., # <u>3</u> Exhibit 2 to Gorman Decl., # <u>4</u> Exhibit 3 to Gorman Decl., # <u>5</u> Exhibit 4 to Gorman Decl., # <u>6</u> Exhibit 5 to Gorman Decl., # <u>7</u> Exhibit 6 to Gorman Decl., # <u>8</u> Exhibit 7 to Gorman Decl., # <u>9</u> Exhibit 8 to Gorman Decl., # <u>10</u> Exhibit 9 to Gorman Decl., # <u>11</u> Exhibit 10 to Gorman Decl., # <u>12</u> Exhibit 11 to Gorman Decl., # <u>13</u> Exhibit 12 to Gorman Decl., # <u>14</u> Exhibit 13 to Gorman Decl., # <u>15</u> Exhibit 14 to Gorman Decl., # <u>16</u> Exhibit 15 to Gorman Decl., # <u>17</u> Exhibit 16 to Gorman Decl., # <u>18</u> Exhibit 17 to Gorman Decl., # <u>19</u> Exhibit 18 to Gorman Decl., # <u>20</u> Exhibit 19 to Gorman Decl., # <u>21</u> Declaration of Felicia Williams, # <u>22</u> Exhibit 1 to Williams Decl., # <u>23</u> Exhibit 2 to Williams Decl., # <u>24</u> Exhibit 3 to Williams Decl., # <u>25</u> Exhibit 4 to Williams Decl., # <u>26</u> Exhibit 5 to Williams Decl., # <u>27</u> Exhibit 6 to Williams Decl., # <u>28</u> Exhibit 7 to Williams Decl., # <u>29</u> Exhibit 8 to Williams Decl., # <u>30</u> Exhibit 9 to Williams Decl., # <u>31</u> Text of Proposed Order Denying Motion to Dismiss)(GORMAN, JOHN) (Entered: 12/11/2015)
12/14/2015	<u>25</u>	MOTION to Enforce <i>Timely and Full Compliance With Discovery Obligations</i> filed by LAW SCHOOL ADMISSION COUNCIL, INC..Certificate of Service. (Attachments: # <u>1</u> Exhibit A – Interrogatories, # <u>2</u> Exhibit B – Requests for Production, # <u>3</u> Exhibit C – Response to Interrogatories, # <u>4</u> Exhibit D – Responses to Requests for Production, # <u>5</u> Text of Proposed Order Granting Motion)(GORMAN, JOHN) (Entered: 12/14/2015)
12/15/2015	<u>26</u>	ORDER THAT PLAINTIFF'S MOTION TO ENFORCE DISCOVERY OBLIGATIONS (DOC. <u>25</u>) IS GRANTED AND DEFEDANT SHALL FULLY RESPOND TO THE PLAINTIFF'S PENDING DISCOVERY REQUESTS ON OR BEFORE 12/21/2015. SIGNED BY HONORABLE MARK A. KEARNEY ON 12/15/2015. 12/15/2015 ENTERED AND COPIES E-MAILED.(sg,) (Entered: 12/15/2015)
12/15/2015	<u>27</u>	RESPONSE in Opposition re <u>25</u> MOTION to Enforce <i>Timely and Full Compliance With Discovery Obligations</i> filed by MORLEY TATRO. (MENHART, ERIC) (Entered: 12/15/2015)
12/15/2015	<u>28</u>	ORDER THAT DEFENDANT'S REQUEST FOR RECONSIDERATION (ECF DOC. NO. <u>27</u>) OF OUR 12/15/2015 ORDER (ECF DOC. NO. <u>26</u>) IS DENIED. SIGNED BY HONORABLE MARK A. KEARNEY ON 12/15/2015. 12/15/2015 ENTERED AND COPIES E-MAILED.(sg,) (Entered: 12/15/2015)
12/17/2015	<u>29</u>	REPLY to Response to Motion re <u>2</u> MOTION to Dismiss for Lack of Jurisdiction filed by MORLEY TATRO. (MENHART, ERIC) (Entered: 12/17/2015)
12/18/2015	<u>30</u>	NOTICE by LAW SCHOOL ADMISSION COUNCIL, INC. re <u>24</u> Response in Opposition to Motion,,,,, <i>Notice of Motion to Dismiss California Action</i> (GORMAN, JOHN) (Entered: 12/18/2015)
12/29/2015	<u>31</u>	MEMORANDUM AND/OR OPINION. SIGNED BY HONORABLE MARK A. KEARNEY ON 12/29/2015. 12/29/2015 ENTERED AND COPIES E-MAILED.(sg,) (Entered: 12/29/2015)
12/29/2015	<u>32</u>	ORDER THAT DEFENDANTS MOTION TO TRANSFER IS GRANTED AS OUTLINED HEREIN. THE CLERK OF COURT IS DIRECTED TO TRANSFER THIS ACTION TO THE CLERK OF THE U.S.D.C. FOR THE CENTRAL DISTRICT OF CALIFORNIA AND MARK THIS ACTION CLOSED IN THIS COURT. SIGNED BY HONORABLE MARK A. KEARNEY

ON 12/29/2015. 12/29/2015 ENTERED AND COPIES E-MAILED.(sg,) (Entered: 12/29/2015)
--